

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civil Action No.: 5:17-cv- 00534-H

EPIC GAMES, INC.,

Plaintiff,

v.

C.R.,

Defendant.

**AFFIDAVIT OF CHRISTOPHER M.  
THOMAS IN SUPPORT OF MOTION FOR  
DEFAULT JUDGMENT**

Christopher M. Thomas, appearing before the undersigned notary and having first been duly sworn, states as follows:

1. I am over 18 years of age, suffer from no known disability, and have personal knowledge of the facts set forth herein. All the statements in this affidavit are true and correct.

2. I am counsel for the Plaintiff Epic Games, Inc. ("Epic" or "Plaintiff") in the above-captioned case.

3. Under Local Civil Rule 55.1(b)(1), Epic's Motion for Default Judgment ("Motion"), filed contemporaneously herewith, is required to "be supported by an affidavit stating that each party against which judgment is sought is not an infant, an incompetent person, or in the military service of the United States." *See id.*

4. In this case, the party against which judgment is sought, Defendant C.R., is believed to be a minor. As discussed in Epic's Motion, C.R. is properly represented by his mother and general guardian, Ms. Lauren Rogers ("Ms. Rogers"). Accordingly, C.R.'s interests are protected.

5. Because Fed. R. Civ. P. 55(b)(2) provides in relevant part, that a default judgment may be entered by the court against a minor if the minor is represented by a general guardian, Plaintiff's Motion should be found to comply with Fed. R. Civ. P. 55 and Local Civil Rule 55.1(b)(1).

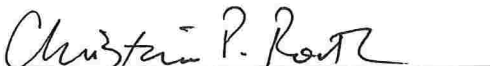
This the 24th day of September, 2018.



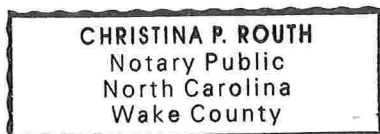
Christopher M. Thomas  
N.C. State Bar No. 31834  
christthomas@parkerpoe.com  
Tasneem D. Delphry  
N.C. State Bar No. 47697  
tasneemdelphry@parkerpoe.com  
PARKER POE ADAMS & BERNSTEIN LLP  
PNC Plaza  
301 Fayetteville Street, Suite 1400  
Post Office Box 389  
Raleigh, North Carolina 27602-0389  
Telephone: (919) 832-4626  
Facsimile: (919) 834-4564

*Attorneys for Plaintiff  
Epic Games, Inc.*

SWORN TO and subscribed before me  
this the 24 day of September, 2018.

  
Notary Public

My Commission Expires: 2-1-20



**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **AFFIDAVIT OF CHRISTOPHER M. THOMAS IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT** was electronically filed this day with the Clerk of Court using the CM/ECF system and that a true and accurate copy of it was sent to all parties to this cause by depositing the original and/or copy hereof, postage pre-paid, in the United States mail, addressed as follows:

C.R.  
c/o Lauren Rogers  
501 West Ave.  
New Castle, DE 19720

C.R.  
c/o Lauren Rogers  
5 Vireo Circle  
Newark, DE 19711

This the 24th day of September 2018.

/s/ Christopher M. Thomas  
Christopher M. Thomas  
N.C. State Bar No. 31834  
christthomas@parkerpoe.com  
Tasneem D. Delphry  
N.C. State Bar No. 47697  
tasneemdelphry@parkerpoe.com  
PARKER POE ADAMS & BERNSTEIN LLP  
PNC Plaza  
301 Fayetteville Street, Suite 1400  
Post Office Box 389  
Raleigh, North Carolina 27602-0389  
Telephone: (919) 832-4626  
Facsimile: (919) 834-4564

*Attorneys for Plaintiff  
Epic Games, Inc.*